

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**WILLARD BEGAY,**

**Defendant.**

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**Case No. 17-CR-03125-01-MDH**

**ORDER**

Before the Court is the Report and Recommendation of the Magistrate Judge. (Doc. 29). The Magistrate Judge recommended that the Defendant be declared unlikely to be restored to competency within the foreseeable future and therefore be committed to the custody of the Attorney General under 18 U.S.C. § 4246. Defendant has not filed exceptions and the matter is ripe for review.

On August 16, 2018, the Court declared Defendant incompetent to stand trial and committed him to the custody of the Attorney General under 18 U.S.C. § 4141(a). (Doc. 25) for a reasonable period not to exceed four months. Since then, Defendant has been hospitalized at the USMCFP. During that time, Ashley Christiansen, Ph.D., a licensed psychologist, prepared a forensic psychological report. (Doc. 26). She diagnosed Defendant with schizophrenia and stated that his rational understanding of the nature and consequences of the charges and proceedings against him appeared impaired. *Id.* at 11. She opined that he was not competent to proceed or make decisions regarding his legal case at this time. *Id.* She further concluded that Defendant had a poor prognosis and that his competency was unlikely to be restored to competency in the foreseeable future. *Id.* A risk assessment panel further recommended that because of his schizophrenia, his

release would create a substantial risk of bodily injury to another person or serious damage to the property of another, and recommended he be committed pursuant to 18 U.S.C. § 4246. *Id.* at 15.

After carefully reviewing the record, the Court agrees with the Report and Recommendation of the Magistrate Judge. The Report and Recommendation is **ADOPTED** and the Defendant is hereby **COMMITTED** to the custody of the Attorney General under the provisions of 18 U.S.C. § 4246 in accordance with 18 U.S.C. § 4141(d).

**IT IS SO ORDERED.**

DATED: March 8, 2019

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**